

Customer Number

24024

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	Group Art Unit: 1637
Tina M. Henkin and Frank J. Grundy	)	
	)	Examiner: Samuel C. Woolwine
Application No.: 10/617,979	)	
	)	Confirmation No.: 8217
Filed: July 11, 2003	)	
	)	Attorney Docket No.: 22727/04130
For: <i>In vitro</i> transcription assay for T box antitermination system	)	

**Rule 1.132 Declaration (*In re Katz*) of Drs. Tina M. Henkin and Frank J. Grundy**

Dear Sir:

We, Tina M. Henkin and Frank J. Grundy, the inventors in the above-identified application, state as follows:

1. We are the sole inventors of the assays and methods described and claimed in the above identified patent application.
2. We, along with Tessa R. Moir and Margaret T. Haldeman, are co-authors of the paper entitled "Sequence requirements for the terminators and antiterminators in the T box transcription antitermination system: disparity between conservation and functional requirements," published in Nucleic Acids Research, volume 30, pages 1646-1655, April 2002 ("Grundy et al. (2002)").
3. The other individuals listed as authors of the Grundy et al. paper, namely Tessa Moir and Margaret Haldeman, did not discover or invent the assays and methods described and claimed in the above identified application. None of these individuals made a conceptual contribution to the inventions claimed in the present application.


4. At the time the studies described in the Grundy et al. (2002) paper were conducted, Tessa Moir was a Research Technician in our laboratory. Tessa contributed to the paper by characterizing antiterminator mutants *in vivo*. She did not make conceptual contributions to the inventions claimed in the present application.

6. At the time the studies described in the Grundy et al. (2002) paper were conducted, Margaret Haldeman was a Postdoctoral Researcher in our laboratory. Margaret contributed to the paper by carrying out *in vitro* transcription assays under direction of Tina Henkin and Frank Grundy. She did not make conceptual contributions to the inventions claimed in the present application.

7. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

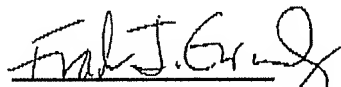
4/16/07

Date

  
Tina M. Henkin

4/16/07

Date

  
Frank J. Grundy